

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

AFFINITY CREDIT UNION, et al.,  
Plaintiffs,  
v.  
APPLE INC.,  
Defendant.

Case No. [22-cv-04174-JSW](#)

**ORDER REQUIRING ADDITIONAL  
BRIEFING ON PLAINTIFFS'  
STANDING TO OBJECT TO ABSENT  
CLASS MEMBER SUBPOENAS**

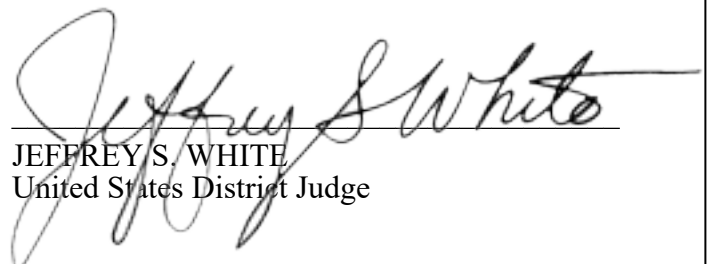
Re: Dkt. No. 80

In their joint letter brief, (Dkt. No. 80), the parties do not engage meaningfully with the question of Plaintiffs' standing to challenge the "Large Issuer" subpoenas. Parties generally lack standing to challenge subpoenas issued to third parties. *Kowalski v. Tesmer*, 543 U.S. 125, 130 (2004). The Court has determined that additional briefing on this limited issue is necessary.

Each side may submit a brief of up to seven pages in length regarding whether Plaintiffs have standing for their challenge. The briefs shall be filed no later than August 23, 2024. No response or reply briefs will be considered without leave of Court.

**IT IS SO ORDERED.**

Dated: August 16, 2024

  
JEFFREY S. WHITE  
United States District Judge